



Republic of the Philippines
PROVINCE OF ORIENTAL MINDORO
MUNICIPALITY OF PINAMALAYAN

Office of the Sangguniang Bayan

RESOLUTION NO. 166-2013

RESOLUTION ENACTING AN ORDINANCE AMENDING ORDINANCE NO. 16-95, FIXING THE RENEWAL DATE OF TRICYCLE FRANCHISE WITHIN THE FIRST TWENTY (20) DAYS OF JANUARY, ANNUALLY.

WHEREAS, Section 447 (a) (3) (VI) of Republic Act 7160 provides, "Subject to the guidelines prescribed by the Department of Transportation and Communications regulate the operation thereof within the territorial jurisdiction of the municipality";

WHEREAS, the officers and Board of Directors of the Pinamalayan Federation of Tricycle Operators and Drivers Association, Inc. (PFTODAI) firmly believed that going back to simultaneous renewals of tricycle franchise within the month of January of each year will be more beneficial and productive to the officers of each association;

WHEREAS, the traffic officers from the Philippine National Police also agree that it will be easy for them to carry out their functions if the renewals will be finished in just one month, it will be very easy for them to spot non-renewals, expired franchises and colorum tricycles;

WHEREAS, renewal of 244 units (in accordance with Ordinance No. 16-95) for the last quarter (October, November and December) has been declared suspended to be renewed on January 2014;

WHEREAS, "SECTION 9. Time and Manner of Payment" of Ordinance No. 16-95 Provided that " The registration and other fees imposed shall be paid in the first day of January and Payable to the Municipal Treasurers Office within the first twenty (20) days of January. The Registration of other fees shall be paid without penalty within the first twenty (20) days following its acquisition;

WHEREAS, the above-quoted SECTION of Ordinance No. 16-95 referred two (2) different times and manner of registration.

In the first sentence," The registration and other fees imposed shall be paid on the first day of January and payable to the Municipal Treasurer's Office...xxx... within the first twenty (20) days of January, " was a reiteration of what was provided in KAUTUSAN BLG. 4-92 of July 1. 1992 specifically"SEKSYON VI PANGKAT B-Ang Aplikante o Franchise holder ay magbabayad din taon-taon tuwing ika-20 ng Enero...xxx... para sa Mayor's Permit...xxx...".

The second sentence, "The registration and other fees shall be paid without penalty within the first twenty (20) days following its acquisition" referred to the franchises given to new acquired tricycle units awarded with TFRB Franchise regardless of the date and month which shall renewable annually on the anniversary date the franchise was first given;

WHEREAS, renewal of franchise under KAUTUSAN BLG. 4-92 was withheld with Ordinance No. 16-95 while renewal of new franchise upon its effectivity was enjoined on or before the anniversary date of the franchise it was first given.

NOW, THEREFORE on mass motion all SB Members present be it resolved as it is hereby resolved, to enact –

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ORDINANCE NO. 01-2013

Be it enacted by the Sangguniang Bayan of Pinamalayan, Oriental Mindoro, in session assembled that:

SECTION I. TITLE. This Ordinance shall be known as an Ordinance amending Ordinance No. 16-95, Fixing the Renewal Date of Tricycle Franchise within the first twenty (20) days of January, Annually.

SECTION II. The Pro-rated mitigating scheme is applicable only for the year 2014.

SECTION III. That after the year 2014 the new provision shall be followed for the renewal of franchise, which states "The renewal of Franchise and other fees shall be paid without penalty within the first twenty (20) days of January, annually, unless extended by the Sangguniang Bayan.

SECTION IV. Surcharge for Late Payment

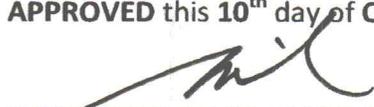
Failure to pay the fee prescribed in this Ordinance within the time required shall subject the tax payer to a surcharge of 25% of the original amount of fee due, such surcharge to be paid at the same time, in the same manner as the original amount of fee due.

SECTION V. Penalty for the violation provided in Kautusan Blg. 4-92 shall continue to be in full force and effect.

SECTION VI. Effectivity.

This Ordinance shall take effect upon its approval.

APPROVED this 10th day of October 2013 at Pinamalayan, Oriental Mindoro.

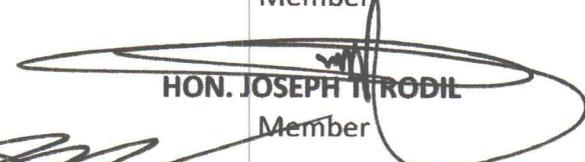

HON. ARNOLDO M. MADRID
Member

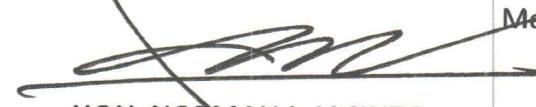

HON. LEONARDO L. PEDRAZA
Member


HON. JEFFREY PAUL A. UMBAO
Member

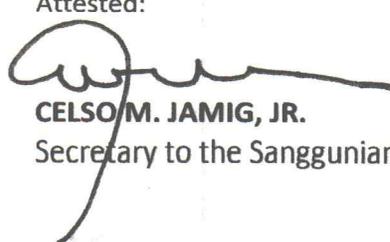

HON. ARNEL G. LABRENICA
Member

HON. JASON C. PAYLAGO
Member


HON. JOSEPH T. RODIL
Member


HON. NORMAN J. JACINTO
ABC President, Member

Attested:


CELSO M. JAMIG, JR.
Secretary to the Sanggunian



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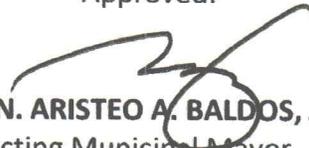
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Certified Correct:


HON. RODOLFO M. MAGSINO
Acting Vice Mayor, Presiding Officer

Approved:


HON. ARISTEO A. BALDOS, JR.
Acting Municipal Mayor